IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.22549 of 2004

Between:

M.Annapurna W/o.Late Jayaraju
R/o.Quarter No.2 Telephone Exchange, Kodad, Nalgonda District.

..... PETITIONER

AND

1. The Chief General Manager, Bharat Sanchar Nigam Limited, Suryalok Complex Hyderabad.
2. The General Manager, Bharat Sanchar Nigam Limited, Nalgonda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of writ of Mandamus or any other appropriate writ declaring the action of the respondents in not considering the petitioners representation for providing compassionate appointment to her son as illegal, arbitrary and unjust and violative of Articles 14 and 21 of Constitution of India, and consequently direct the respondents to consider the petitioners representation dated 13.7.2004 for compassionate appointment in any suitable post.

Counsel for the Petitioner : MR.B.SHIVA KUMAR

Counsel for the Respondent Nos.1 and 2: MR.C.YADAGIRI
Addl.S.C.for Central Government.

The Court made the following :

ORDER:

This writ petition is filed to issue a writ of Mandamus declaring the action of the respondents in not considering the representation of the petitioner, for providing compassionate appointment to her son, as illegal and arbitrary.

Heard the learned counsel for both parties.

The case of the petitioner is that her husband, who was working in the respondents-Department, died on 22.03.2004, leaving behind herself and two children. They were all depending upon the earnings of the deceased. Due to hardship, the petitioner made a representation, dated 13.07.2004, to the 2nd respondent for providing compassionate appointment to her son in the respondents-Department. But, no action has been taken by the respondents so far. Hence, this writ petition.

The compassionate appointments are to be made in accordance with the scheme, if any, made by the respondents-Department, and also subject to the rules framed thereunder. The representation of the petitioner has to be considered by the respondents in accordance with the scheme, apart from the rules relevant for the purpose of appointment on compassionate grounds. The grievance of the petitioner is that the respondents have not passed any orders on the representation submitted by him, dated 13.07.2004.

Therefore, the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner, dated 13.07.2004, within a period of four weeks from the date of receipt of a copy of this order, in accordance with law. No costs.

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K.C.BHANU, J

7th December, 2004

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To

1. The Chief General Manager, Bharat Sanchar Nigam Limited,
   Suryalok Complex Hyderabad.
2. The General Manager, Bharat Sanchar Nigam Limited,
   Nalgonda, Nalgonda District.

3. 2CD copies.